

ARREST AND RELEASE OF A MEMBER

(Announcement.)

Mr. SPEAKER.—“I have to announce to the House that I have received a communication yesterday at 7-15. P. M. from the Commissioner of Police, Bangalore City that he, in exercise of his powers under section 151 of the Cr. P. C. read with section 103 of the Mysore Police Act, directed the arrest of Sri Vatal Nagaraj, Member of the Legislative Assembly from Chickpet Constituency for defying the prohibitory orders under section 35 of the Mysore Police Act and accordingly that Sri Vatal Nagaraj, member of this House was arrested and taken into custody by the Ulsoor Gate Police at Mysore Bank Circle at 5 P. M. and that he has been lodged in Frazer Town Police Station.”

This morning I had a call from Sri Vatal Nagaraj.

ಶ್ರೀ ವಾಟಾಜ್ ನಾಗರಾಜ್ (ಚಿಕ್ಕಪೇಟೆ).—ತಮ್ಮ ಗಮನಕ್ಕೆ ತರುತ್ತೇನೆ.....

Mr. SPEAKER.—Put it in proper order and I will see what could be done.

ಶ್ರೀ ಎಸ್. ಗೋಪಾಲಗೌಡ.— * * *

ಶ್ರೀ ಎಚ್. ಸಿದ್ದೇಶ್ವರಪ್ಪ.—ಶಿವಮೊಗ್ಗದ ಅಶ್ವತ್ಥಯ್ಯ ಎಂಬುವವರು ರುಜು ಹಾಕಿ ಕಳಿಸಿದ್ದಾರೆ.

ಶ್ರೀ ಎಸ್. ಗೋಪಾಲಗೌಡ.—ಇಲ್ಲಿ ಗೆರಾಟೆ ಆದದ್ದರಿಂದ ನಿಮಗೆಲ್ಲ ಕೊಟ್ಟಿದ್ದಾರೆಂದು ತಿಳಿದುಕೊಂಡಿದ್ದೇನೆ. ಇದರಲ್ಲಿ ತತ್ತ್ವ.....

ಅಧ್ಯಕ್ಷರು.—ನೀವು ತಪ್ಪು ತಿಳಿದುಕೊಳ್ಳುವುದಕ್ಕೆ ನಾನು ಜವಾಬ್ದಾರನ್ನಲ್ಲ. ಇಲ್ಲಿ ಆಗುವ ಕಾರ್ಯಕರಾಪಗಳಿಗೆ ರೂರಸ್ ಇವೆ. ವಿಧಿ ನಿಯಮದ ಪ್ರಕಾರ ಆಗಬೇಕು. ಏನೋ ವರದಿ ಹೇಳುತ್ತೀರಿ ಎಂದು ನಾನು ಭಾವಿಸಿದೆ. ಅನುಭವಿಗಳು ಮತ್ತು ಪ್ರಾಯ ನಮೂರಾರಾದ ನೀವು ಹೀಗೆ ಹೇಳಿದರೆ ನನಗೆ ಅಶ್ಚರ್ಯವಾಗುತ್ತದೆ.

ಶ್ರೀ ಎಚ್. ಸಿದ್ದೇಶ್ವರಪ್ಪ.—ನಮ್ಮ ಮತ್ತು ಅವರ ಖಾಸಗಿ ವ್ಯವಹಾರವೇನೂ ಇದರಲ್ಲಲ್ಲ. ಇದನ್ನು ಯಾರು ಬರೆದಿದ್ದಾರೆ ಅವರೇ ಸಾರ್ವಜನಿಕವಾದ ಒಂದು ಕಾರ್ಲೇಜಿನ ವಿಚಾರ ತಿಳಿಸಿದ್ದಾರೆ. ಅದರಲ್ಲಿ ನನ್ನ ಅವರ ಖಾಸಗಿ ವ್ಯವಹಾರವೇನೂ ಬರೆದಿಲ್ಲ.

Mr. SPEAKER.—As a seasoned parliamentary, the hon'ble member must know how to bring it before this House. Are we going to take note of private correspondence here? I thought some very great thing is going to happen to Mysore State for its improvement.

PRIVILEGE MOTION GIVEN NOTICE BY Sri K. H. PATIL

Sri K. H. PATIL (Gadag).—I have given notice to you for permission to move the privilege motion, but consent has not been given.

Mr. SPEAKER.—I have not given consent. The member may mention that. What is it that he wants to say?

SRI K. H. PATIL.—Sir, you know that Sri S. R. Kanthi has made a statement on the floor of this House interrupting my speech when I was saying that Hanumanmatti Rural Institute was not at all closed. When I said that Hanumanmatti Rural Institute was disturbed on account of the attitude taken by the State Government the Hon'ble Member Sri Kanthi was pleased to say that he received instruction from the Central Government and it was on account of that, that the Institution was closed.

MR. SPEAKER.—What were the exact words? I have got the proceedings. Is the member having the page of the proceedings? Was he Minister for Education then?

SRI K. H. PATIL.—The very thing was quoted in my letter. Sir S. R. Kanthi has given instruction to close the entire Institute.

MR. SPEAKER.—It is not what the member has written. I want what the Minister has said.

SRI K. H. PATIL.—The exact words have been quoted in my letter. They are not borrowed words. Same words that have come from the horse's mouth. Sri S. R. Kanthi has said on page 84:

“Recently the Government of India has given instructions to close the entire Institute. But we made representations that it should not be closed. This year, we have allowed students to be admitted to the Institute.”

I am referring to the first sentence namely that he has received instructions from the Central Government to close the Institution....

MR. SPEAKER.—Does the member say it is not correct?

SRI K. H. PATIL.—Yes, it has been supported by the reply that the Hon'ble Education Minister has given. I have got a copy. There by the House disbelieved my statement and thereby he has not only committed a breach of privilege but he has also committed the contempt of the House.

MR. SPEAKER.—Let us understand the point. The member has said that the Government of India agreed to the consolidated pay of Rs. 1000 only. The question of agreement by the Rural Institute does not arise. What is the contradiction, I am not able to understand.

SRI K. H. PATIL.—All the statements need not be contradicted by documents, Sir. I am not armed with the document.

MR. SPEAKER.—If the hon. Member wants that paper, he should at least say in advance. Does he want to proceed without that paper?

SRI K. H. PATIL.—May I draw your kind attention to the assurance that had been made that it will be given. Without that paper also I can proceed.

MR. SPEAKER.—What does the member want?

Sri K. H. PATIL.—How can I proceed when the paper is not in my possession ?

Mr. SPEAKER.—You forget that I am trying to get it. It is not immediately available for reference. I will get it tomorrow and we will take this up tomorrow.

Sri H. SIDDAVEERAPPA.—It may be taken up tomorrow after that paper is received so that we may not misquote it. Let that paper be brought ; we will examine it and see what can be done.

Mr. SPEAKER.—Enthusiasm outruns.

Sri S. R. KANTHI (Minister for Law).—I am not enthusiastic. Hon. Members are enthusiastic—it is obvious from the way they are behaving in this House.

Sri H. SIDDAVEERAPPA.—We have been behaving magnificently well.

Sri V. N. PATIL (Humnabad).—Unless the Member is fully heard, how can the hon. Minister be given a chance ? I rise to a point of order, Sir.

Sri S. R. KANTHI.—There is no point of order.

Mr. SPEAKER.—How does he know before he has said :

Sri V. N. PATIL.—There are certain allegations by the Hon'ble Member Sri K. H. Patil. Unless the allegations are fully heard and unless the papers are placed before the House and unless the House is given an opportunity to examine it, it will be unfair on the part of the Hon'ble Minister to interfere at this stage. He should not be given permission. This is a breach of our right also and we want protection from you, Sir.

Mr. SPEAKER.—Which is the Rule followed to raise this point of order ?

Sri V. N. PATIL.—When we feel that any injustice is being done, we invite your attention to that fact. Under the residuary powers vested in you, we are entitled to your protection.

Mr. SPEAKER.—The Hon'ble Minister is perfectly right in saying that there is no point of order.

Sri S. R. KANTHI.—I am sorry that this has been dragged on. On a point of order, Sir.

Sri H. SIDDAVEERAPPA.—I rise to a point of order, Sir.

Mr. SPEAKER.—If really there is no point of order, I will really feel very unhappy.

Sri H. SIDDAVEERAPPA.—I have raised the point of order, first.

Sri S. R. KANTHI.—I am also raising a point of order and I may be given a chance.

MR. SPEAKER.—I know that a point of order has been raised. I won't allow any work to go on without hearing the point of order. Members are thinking that there is some justice, injustice, inherent power and all that. I am mentioning that because if some ideas prevail in the minds of those who have raised the point of order, they should be clarified. Injustice is there really in not hearing the Hon'ble Minister for Education because all that has been stated till now will appear in the papers tomorrow. And therefore this has to be taken up tomorrow and he has to reply; otherwise just imagine what will be the fate! Mr. Patil should not have raised the point when he was not ready with the paper. When I asked him whether he was willing to go on without the paper, he was hesitant. I said, "if you cannot go on, you must not put terms like that; if you want to go on, say I will go on; if you do not want, say, 'I do not want to go on.'" All the while, he has been telling, that he may be given the paper; that paper is ready. If he wants any other paper, it will be always made available to the Member, irrespective of merits or demerits. He must not tell again in this fashion: "Let not the Minister say anything." In what way is it going to prejudice his case?

Sri H. SIDDAVEERAPPA.—When once the Hon'ble Speaker beckons and requests the Hon'ble Minister for Parliamentary Affairs to stop, he cannot defy the Chair and then get up and say: "you must hear me".

MR. SPEAKER.—There is nothing of the type that Mr. Siddaveerappa mentioned,—that I was beckoning to the Hon'ble Minister. I waited because I wanted the Hon'ble Minister to say, if he feels aggrieved, to the extent he has been referred to. Let that also appear in the papers and in our today's proceedings. To that extent, I perfectly agree that every person who has been hit should not be in the position of being denied an opportunity to have his say. Ultimately, it may be said that there is nothing in this. I may reject. You should realise the intermediate harm and injury that will be caused by hearing only one version and trying to come to some sort of conclusion. Every right-thinking person will come to the correct conclusion later on. But in the meanwhile, there will be a sort of smearing. Why should it occur? If members want to say anything, I cannot hear the whole thing.

Sri S. R. KANTHI.—The Hon'ble Member has taken objection to my remarks on page 83 where I have said...

MR. SPEAKER.—Is the Hon'ble Minister going to reply?

Sri S. R. KANTHI.—My friend should also hear. You have given permission to me. You have got with you not only the Motion for the breach of privilege but also the letter of the present Education Minister. In it, he has clearly mentioned that it was the Government of India which fixed the salary of Sri R. F. Patil at Rs. 1,000. What I have said in this House is: "ಕೇಂದ್ರ ಸರ್ಕಾರದವರು ಕಟ್ಟಿದ್ದಾರೆ, ನಾವು ಏನೂ ಕಟ್ಟಿಲ್ಲ." It is perfectly all right because it is the Government of India who have fixed it.

Mr. SPEAKER.—There are two points—one is with regard to the closure; the other is with regard to the salary of Mr. Patil.

Sri S. R. KANTHI.—I will come to the point of closure also.

Mr. SPEAKER.—With regard to the second, he does not agree with what the Minister has stated. It is better that it is clarified. So he can kindly leave it at that.

Sri S. R. KANTHI.—I am rising three points. The first is: the propriety of the Hon'ble Member in raising the motion for breach of privilege.....

ಶ್ರೀ ಎಸ್. ಗೋಪಾಲಗೌಡ.—ಅವರನ್ನು ಹೀಗೆ ತಾವು...

Sri S. R. KANTHI.—I am not yielding.

Mr. SPEAKER.—This kind of remark does not do any good. What did Sri Banakar say?

ಶ್ರೀ ಎಂ. ಡಿ. ಬಣಕಾರ್ (ಬ್ಯಾಡಗಿ).—ಅವರಿಗೆ ನೀವು ಆದೇಶ ಕೊಟ್ಟಿದ್ದೀರಿ. ಆದರೂ ಮಂತ್ರಿಯವರು...

ಅಧ್ಯಕ್ಷರು.—ಹಾಗೆ ಮಾಡಬೇಡಿ, ನಾವು ಒಂದು ಸಭೆಯಲ್ಲಿದ್ದೇವೆ.

Sri S. R. KANTHI.—The first and foremost point is: any incorrect statement or alleged wrong statement or alleged misstatement does not form part of the breach of privilege. And there are rulings to that effect and this is not a breach of privilege. Secondly, on the facts of the case, whatever I have said is quite correct, substantially correct and I have already submitted my statement in that respect. If the Chair permits, I will read the whole statement.

2-30 P.M.

Mr. SPEAKER.—At the appropriate time.

Sri S. R. KANTHI.—I have already shown the relevant file and the letter of the Government of India. We got the permission of Government of India to admit fresh students. It is the service rendered by the Education Department and also by me when I was the Minister for Education. I personally went to Madras and met the Deputy Secretary at Madras and said that it would not be fair not to admit students which amounted to closure. Then he asked us to make a representation. We made a representation and we got permission to admit new students. For this service rendered by the Education Department and myself, this is the reward!

Sri K. H. PATIL.—Sir, the Rural Institute at Hanumana Matti has been sanctioned by the Central Government in order No. 35 MUN dated 12th September 1961. Under this order it is a condition precedent that out of the recurring expenditure 50 per cent by the Central Government, 25 per cent by the State Government and 25 per cent by the Institute should be shared. It has been spent accordingly. According to the statement made by Sri S. R. Kanthi, he says just to deny the fact that Sri R. F. Patil's appointment was made by Government of India. The

appointment was made by him and the amount has been paid abnormally and unusually just to favour him as his own henchman. Sri Kanthi says : “ ಕೆಂದ್ರ ಸರ್ಕಾರದವರು ಕೊಟ್ಟಿದ್ದಾರೆ, ನಾವೇನೂ ಕೊಟ್ಟಿಲ್ಲ ” thereby he is denying the State Government's participation in having paid Sri R. F. Patil, which is absolutely far from truth.

Secondly, what Government of India is said to have written, has been contradicted by the statement adduced by the hon. Minister for Education. These statements have proved that what he says is far from truth and they are supported by documents. Merely far from truth is not the case here ; what is the intention underlying behind it is the problem to be considered.

Mr. SPEAKER.—I am not concerned.

Sri K. H. PATIL.—Very well, Sir. With this, he has made a deliberate attempt to say a thing far from truth and also tried to influence this House to disbelieve my statement which I made on the floor of this House. The May's Parliamentary procedure says : if the matter of the complaint is not disposed at the time when it is raised in the House, it is usually referred to the Committee of Privileges. Therefore, I request you to refer the matter to the Privilege Committee.

Sri S. R. KANTHI.—Sir, this incident took place in March and the hon. member has raised it now. Any privilege motion has to be raised immediately ; that is one thing.

(Interruptions)

I am not going to yield, Sir. Sir, I have also shown to you that there is no contradiction in what I have said with reference to the files. I am not concerned with when this Hanuman Matti Institute was closed. I am only concerned with the appointment of Sri R. F. Patil. You have already seen the letter from the Education Minister wherein he has said that one thousand rupees was fixed by the Government of India and not by us. That is what I meant. Secondly, I have also shown the letter of the Government of India which was written to us in the month of April 1966. They are depending on the letter by the Education Minister. That was with reference to Sri Patil and there is no question of giving instruction by the Government of India. They gave instruction in April 1966. So, there is no contradiction with the letter of the Education Minister with my statement. That is why I say, what I have said is substantially right and I have also shown the letters of the Government of India where they have given instructions to us not to admit any new students and that is the most important thing. We fought against that instruction given by Government of India, by myself personally going to Madras and also by writing to Government of India, by sending telegrams to them and ultimately we got permission to admit fresh students. That is what I have referred to in my statement. There is no contradiction with the letter written by the Education Minister and my statement. He refers to 1965-66 ; I refer to 66-67. I have shown the files and I am going to place the files before you and you can go through the entire thing and come to conclusion.

(SRI S. R. KANTHI)

The other most important thing is, if the statement of the Minister is alleged to be a mis-statement or wrong statement or incorrect statement, that can be corrected at your instance, either the Minister himself coming and making a statement that what he said on the previous occasion is not correct or yourself looking into the file and correcting it. I have also written in my letter that if you feel what I have written on that occasion is not correct, I am going to correct myself to the extent you ask me to correct. What I argue is, what I have said is substantially correct.

SRI H. SIDDAVEERAPPA.—Sir, before you give a decision, I beg of you to hear us because it is a matter concerning the entire House and not *inter se* between the Minister and the Member concerned.

MR. SPEAKER.—I will consider it.

SRI AZEEZ SAIT (Narasimharaja).—Sir, one important matter I want to bring to your notice.

MR. SPEAKER.—Is it a point of order?

SRI AZEEZ SAIT.—Yes. The hon. Minister said that he is still in possession of the file although he has laid down the office of Education Minister. How can he hold a file of the Education Minister? Please order him to return the file.

SRI S. R. KANTHI.—Sir, I pity the ignorance of the hon'ble member. I can get the file of the Education Minister or any file of any department and that is perfectly legal.

MR. SPEAKER.—The Minister can kindly enlighten the ignorant member.

(Laughter)

Members' Representations

ಶ್ರೀ ಎಚ್. ಬಿ. ಜ್ವಾಲನಯ್ಯ.—ಸ್ವಾಮೀ, ನಾನು 63 ನೇ ನಿಯಮದ ಪ್ರಕಾರ ಹಾಸನ ಮತ್ತು ಮಂಗಳೂರು ರೈಲ್ವೆ ನಿರ್ವಾಹದ ಬಗ್ಗೆ ಈ ಸಭೆಯ ಗಮನವನ್ನು ಎಳೆಯಬೇಕೆಂದು ಒಂದು ಮೋಷನ್ ಕಳಿಸಿದ್ದೆ ಅದು ಇನ್ನೂ ಬರಲಿಲ್ಲ. ಇದು ಬಹಳ ಮುಖ್ಯವಾದುದು.

MR. SPEAKER.—It will come in its turn at proper time. There were some questions about it today.

ಶ್ರೀ ಎಚ್. ಬಿ. ಜ್ವಾಲನಯ್ಯ.—ನಾನು ಈ ಮೋಷನ್ ಕೊಟ್ಟಿರಲಿಲ್ಲ ಇದರ ಬಗ್ಗೆ ಏನೂ ಕೇಳಲು ಇಷ್ಟಪಡಲಿಲ್ಲ.

ಶ್ರೀ ವಾಟಾಳ್ ನಾಗರಾಜ್.—ಸ್ವಾಮೀ, ನಿನ್ನೆಯ ದಿನ ಕನ್ನಡ ಚಳುವಳಿಗಾರರ ಮೇಲೆ ಪೊಲೀಸರು ಎಷ್ಟು ದೌರ್ಜನ್ಯದಿಂದ ಹಾಗೂ ಹೀನೋಷಿಯಿಂದ ವರ್ತಿಸಿದ್ದಾರೆ ಎಂದರೆ ಅವರನ್ನು ಬೂಡ್‌ಗಳಲ್ಲಿ ಹೊಡೆದಿದ್ದಾರೆ ಎಂದು ಇಲ್ಲಿ ಬಹಳ ವ್ಯಥೆಯಿಂದ ಹೇಳಬೇಕಾಗಿದೆ.